

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

TAVARRES J. HENDERSON,)	
)	
Plaintiff,)	
)	
v.)	CV 119-017
)	
JOANNA B. MASTNY and JASON R.)	
HASTY,)	
)	
Defendants.)	

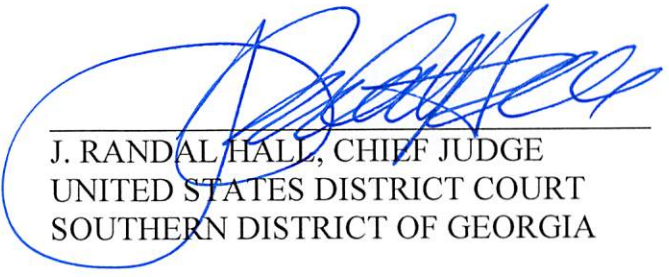
ORDER

On March 26, 2019, the Magistrate Judge issued a Report and Recommendation (“R&R”) recommending Plaintiff’s complaint be dismissed without prejudice and ordered Plaintiff to file any objections by April 12, 2019. (Doc. nos. 9, 10.) Plaintiff filed an objection to the Magistrate Judge’s R&R and a motion to amend his complaint in the same document. (Doc. no. 13.) On April 22, 2019, the Magistrate Judge granted Plaintiff’s motion, provided Plaintiff instructions for filing an amended complaint, and ordered Plaintiff to file an amended complaint on the provided form within fourteen days of the Order. (Doc. no. 14.) The Magistrate Judge warned Plaintiff if he failed to file an amended complaint, the Court would presume Plaintiff did not wish to amend his original pleadings, and the March 26th R&R would be submitted for consideration based on the allegations set forth in Plaintiff’s original complaint. (Id. at 3-4.) The deadline for Plaintiff to file an amended complaint expired on May 6, 2019. However, to date Plaintiff has not filed an amended

complaint. Therefore, the Court shall construe Plaintiff's arguments in his March 26th motion and objections solely as objections to the March 26th R&R and consider the R&R based on the allegations in Plaintiff's original complaint.

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed. (Doc. no. 13.) Accordingly, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge as its opinion, **DISMISSES** Plaintiff's complaint for failure to state a claim upon which relief may be granted, and **CLOSES** this civil action.

SO ORDERED this 17th day of May, 2019, at Augusta, Georgia.



J. RANDAL HALL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA